

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GIOVANNI THOMAS JASSO,

Petitioner,

v.

GISELLE MATTESON,

Respondent.

No. 1:24-cv-00133-KES-SAB (HC)

ORDER GRANTING PETITIONER'S
MOTION TO PROCEED IN FORMA
PAUPERIS ON APPEAL

Doc. 47

Petitioner Giovanni Thomas Jasso is a state prisoner who proceeded pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On July 28, 2025,¹ the Court denied the petition and declined to issue a certificate of appealability. Doc. 41. That same day, the judgment issued. Doc. 42. On August 8, 2025, the Court received petitioner's notice of appeal, dated August 4, 2025, and the appeal was processed to the Ninth Circuit. Docs. 43, 44.

Petitioner paid the filing fee for the instant habeas action, but he now moves to proceed in forma pauperis on appeal. Doc. 47. Rule 24(a) of the Federal Rules of Appellate Procedure provides that:

[A] party to a district-court action who desires to appeal in forma pauperis must file a motion in the district court. The party must attach an affidavit that:

¹ The order was signed on July 26, 2025, but not docketed until July 28, 2025.

(A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs;

(B) claims an entitlement to redress; and

(C) states the issues that the party intends to present on appeal.

Fed. R. App. P. 24(a)(1).

Here, petitioner has demonstrated his inability to pay by attaching a copy of his inmate trust account, and he claims an entitlement to redress and states the issues he seeks to raise on appeal. Accordingly, petitioner has satisfied the requirements of Federal Rule of Appellate Procedure 24(a)(1), and his motion to proceed in forma pauperis on appeal is therefore GRANTED.

IT IS SO ORDERED.

Dated: August 27, 2025


UNITED STATES DISTRICT JUDGE